

Remarks

This Application has been carefully reviewed in light of the Office Action mailed February 28, 2005. Applicants appreciate the Examiner's consideration of the Application. Although Applicants believe all claims are allowable over the rejections made by the Examiner without amendment, Applicants have made clarifying amendments to Claims 1, 9, 14-15, 22, and 25. At least certain of these amendments are not considered narrowing, and none are considered necessary for patentability. Applicants respectfully request reconsideration and allowance of all pending claims.

I. Claim 14 Complies with 35 U.S.C. § 112, Second Paragraph

The Examiner rejects Claim 14 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner contends that "the application link," as recited in Claim 14, lacks sufficient antecedent basis. (Office Action at 2) Although Applicants do not necessarily agree that any rejection of Claim 14 is appropriate, Applicants have amended Claim 14 to recite "an application link" instead of "the application link." Additionally, although the Examiner did not reject dependent Claim 25 as being indefinite, Applicants have made a similar amendment to dependent Claim 25. These amendments are not considered narrowing or necessary for patentability. For at least these reasons, Applicants respectfully request the Examiner to withdraw the rejection of Claim 14 under 35 U.S.C. § 112, second paragraph.

II. Claims 1-13 are Directed to Patentable Subject Matter

The Examiner rejects Claims 1-13 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Although Applicants believe Claim 1, for example, is directed to patentable subject matter without amendment, Applicants have amended independent Claim 1 to further clarify that Claim 1 recites a computer-implemented method performed using one or more computer systems each comprising one or more processing units and one or more memory units and is directed to patentable subject matter. These amendments are not considered narrowing or necessary for patentability. For at least these reasons, Applicants

respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims.

III. The Claims are Allowable over *Snavely*

The Examiner rejects Claims 1-25 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,772,167 to Snavely, et al. ("*Snavely*"). Applicants respectfully disagree and discuss independent Claim 1 as an example.

For example, among other deficiencies, the cited portions of *Snavely* fail to disclose, teach, or suggest "structural data," as recited in Claim 1. As allegedly disclosing "receiving a first set of structural data," as recited in Claim 1 prior to the amendments presented in this Response, the Examiner refers to user requests such as procurement requisitions as allegedly disclosed in *Snavely*. (Office Action at 4) However, the Examiner does not provide any explanation as to how such procurement requisitions disclose, teach, or suggest "structural data," as recited in Claim 1. Applicants respectfully submit that the procurement requests disclosed in *Snavely* cannot be properly equated with the "structural data" recited in Claim 1.

In any event, although Applicants believe that *Snavely* fails to disclose, teach, or suggest "structural data" as recited in Claim 1 even prior to the amendments presented in this Response, Applicants have amended Claim 1 to more clearly define "structural data." The procurement requests disclosed in *Snavely* clearly fail to disclose, teach, or suggest "receiving a first set of structural data . . . wherein the first set of structural data comprises one or more of . . . data concerning the structure of the single business or the related group of businesses with which each of the at least two enterprise resource planning systems is associated . . . and data concerning a relationship of the single business or the related group of businesses to one or more third parties," as recited in Claim 1 as amended.

Thus, *Snavely* clearly fails to disclose, teach, or suggest "structural data," as recited in Claim 1. For at least this reason, *Snavely* also fails to disclose, teach, or suggest many of the other limitations recited in Claim 1.

As another example, *Snavely* fails to disclose, teach, or suggest “wherein the sending of the first set of structural data is operable to cause each of the enterprise resource planning systems to create or change their own structural data,” as recited in Claim 1. First, Applicants reiterate that the procurement requests disclosed in *Snavely* cannot be equated with the “structural data” recited in Claim 1. Second, even assuming that the procurement requests disclosed in *Snavely* could be equated with the “structural data” recited in Claim 1, there is simply no disclosure, teaching, or suggestion in *Snavely* that distributing the procurement requests to servers in the server cluster (which the Examiner argues is disclosed in *Snavely* and attempts to equate with “sending the first set of structural data to two or more enterprise resource planning systems,” as recited in Claim 1) “is operable to cause each of the [servers] to create or change their own structural data,” as recited in Claim 1.

One cited portion of *Snavely* discloses that “servers S4-S6 are mirror images: each has [the] same .nsf files. Periodically, these servers replicate back and forth so that information is contained in all of them. Data is kept consistent.” (*Snavely*, 5:64-67; Office Action, Page 5) *Snavely* discloses that servers S4-S6 are Domino servers. (*Snavely*, 5:19-22) There is no disclosure, teaching, or suggestion that servers S4-S6 are enterprise resource planning systems or that servers S4-S6 have their own structural data. Moreover, the fact that these Domino servers may periodically replicate back and forth, as disclosed in *Snavely*, does not disclose, teach, or suggest “wherein sending of the first set of structural data is *operable to cause* each of the enterprise resource planning systems to create or change their own structural data,” as recited in Claim 1.

Thus, for at least these reasons, the cited portions of *Snavely* fail to disclose, teach, or suggest “wherein sending of the first set of structural data is operable to cause each of the enterprise resource planning systems to create or change their own structural data,” as recited in Claim 1.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For at least analogous reasons,

Applicants respectfully request reconsideration and allowance of independent Claim 15 and its dependent claims.

IV. No Waiver

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the reference cited by the Examiner. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicants are sufficient to overcome the Examiner's rejections.

Conclusion

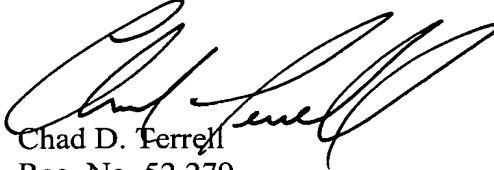
Applicants have made an earnest attempt to place this case in condition for immediate allowance. For at least the foregoing reasons, Applicants respectfully request reconsideration and allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214.953.6813.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 05-0765 of Electronic Data Systems Corporation.

Respectfully submitted,

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Date: _____

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